

JUL 17 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-02759

[REDACTED]
[REDACTED]
COUNSEL: None

HEARING DESIRED: No

Applicant requests his general discharge be upgraded to honorable. Applicant's submission is at Exhibit A.

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Ms. Patricia J. Zarodkiewicz, Mr. Loren S. Perlstein and Mr. Dana J. Gilmour considered this application on 14 July 1998 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


PATRICIA J. ZARODKIEWICZ
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

FEB 13 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRS
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Record [REDACTED]

The applicant, while serving in the grade of airman third class, was discharged **from** the Air Force 05 Sep 53 under the provisions of AFR 39-16 (Unsuitability) and received an under honorable (general) discharge. He served 03 years, 02 months and 14 days total active service.

Requested Action. The applicant is requesting that his reason for discharge be upgraded to honorable.

Basis for Request. Applicant only states that he was wrong in some things but, he also was right in others.

Facts. On 03 Aug 53, applicant's commander recommended that appropriate action be initiated against the applicant to discharge him from service. Applicant appeared before a Board of Officers without counsel convened to review the pertinent facts and circumstances and make recommendation to the discharge authority if he should be discharged from the service. Applicant had numerous infractions of discreditable nature. Infraction included court martial action for violation of a restriction to base, court martial for failure to repair, AWOL from 5 Jan 52 to 19 Jan 52, AWOL from 24 Mar 52 to 8 Apr 52 and article 15 action for failure to obey an order of a master sergeant. The discharge board's findings and recommendations were: that the applicant was unsuitable for further military service and recommended that he be discharged because of unsuitability and he be given **an** under honorable conditions (general) discharge. The discharge authority approved the Board's recommendation and directed that applicant be discharged under the provisions of AFR 39-16 and that he be issued an under honorable conditions (general) discharge certificate.

Discussion. This case has been reviewed and the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the sound discretion of the discharge authority and that the applicant was provided full administrative due process. The records indicate member's military service was reviewed and appropriate action was taken.

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Recommendation. Applicant did not submit any new evidence or identify any errors in the discharge processing nor provide facts which warrant an upgrade of the discharge he received. Accordingly, we recommend applicant's request be denied. He **has** not filed a timely request.



JOHN C. WOOTEN, GS-9
Military Personnel Mgmt Spec
Separations Branch
Dir of Personnel Program Management

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